Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

UNCLASSIFIED

PAGE 01 STATE 092219
ORIGIN SS-03

INFO OCT-01 ISO-00 EUR-03 /007 R

66011
DRAFTED BY S/S-O:TGMARTIN
APPROVED BY S/S-O:TGMARTIN
----------078062 110500Z /14
O 110307Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY MADRID IMMEDIATE

UNCLAS STATE 092219

E.O. 11652: N/A

TAGS:

SUBJECT ENFORCEMENT REPORT - FIXED GEAR INCIDENT

FOL RPT USCGC VIGOROUS DTG 101619Z APR 78 SENT ACTION COMLANTAREA
COGARD NY INFO CCGDONE BOSTON MA, CCGDTHREE NY, CCGDFIVE PORTSMOUTH,
COMDT COGARD WASHDC, SECSTATE, NMFS GLOUCESTER MA & USCGC VIGILANT

QUOTE: UNCLAS
ENFORCEMENT REPORT
FIXED GEAR INCIDENT
A. STA CHATHAM 091920Z APR 78
1. SITUATION
A. 0816R BOARDING PARTY ABOARD SP FV COSTA DE NORUEGA. BEGAN
INVESTIGATION
B. FOUND 16 UNMARKED LOBSTER TRAPS ABOARD. FROM LOGS AND
FATHOMETER, ACTUAL HAULBACK WHICH RESULTED IN DISTURBANCE OF FIXED
GEAR OCCURED WHEN FFV IN POSIT 39-58.2N 69-37.0W
BETWEEN 100-200 FATHOMS AT 090945Z APR 78. VSLS OWN FATHOMETER
RECORDER SHOWED 110 FATHOMS. NMFS AGENT MURPHY ON BOARD WITNESSED
READING AND IN FACT CONFISCATED RECORDER CHART.
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 092219

C. ADDITIONAL INVESTIGATION SHOWS F/V COSTA DE NORUEGA HAS
SINCE 6 APR 78 CONSISTENLY FISHED WITHIN 2 NM OF CG REPORTED
FIXED GEAR AREA AND BETWEEN 100-200 FATHOMS. NMFS OBSERVER HAS
PERSONAL LOG RECORDS AND PHOTOGRAPHS INDICATING THAT HAULBACKS
TAKEN IN THESE AREAS RESULTED IN THE REPORTED TAKING OF FIXED GEAR
AS FOLLOWS
1) 6 APR 2 TRAPS NOT RPTD

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

2) 7 APR 1 TRAP NOT RPTD
3) 8 APR 1 TRAP NOT RPTD
4) 9 APR 12 TRAPS RPTD BY NMFS OBSERVER ON ALTAMAR
NMFS OBSERVER PERSONAL LOG INCLUDES NOTATION "CONTINENTAL SHELF FISH INC." FOR 8 APR HAULBACK. ALL BUT TWO TRAPS WERE IN WORKING ORDER
D. AGENT MURPHY ADVISES THAT ON 9 APR COSTA DE NOREUGA PASSED BETWEEN HE SAID THE END BOUYED MARKERS OF A TRAP LINE, ONE END OF WHICH WAS CLEARLY MARKED WITH RADAR REFLECTOR.
E. COSTA DE NORUEGA ONLY COPIES FIXED GEAR BROADCASTS MON-FRI WEEKLY.
F. IN VIEW OF ABOVE EVIDENCE, VSL IN VIOLATION OF PARA 611.11 AS AMENDED
G. FURTHER INVESTIGATION BY BOARDING PARTY REVEALS
1) NET IN USE AVERAGES ONLY 56 MM. VSL WAS GIVEN VIOLATION ON 4 APR FOR USE OF NET AVERAGING ONLY 50 MM.
2) VSL OTHER CITATIONS AND VIOLATIONS SINCE ENTERING FCZ INCLUDE:
A) 13 MAR 78 - FAILURE TO NOTIFY COMMENCEMENT OF FISHING ACTIVITY
B) 13 MAR 78 - FAILURE TO PLOT FIXED GEAR
C) 4 APR FAILURE TO ACCURATELY LOG CATCH OF SQUID (3800 ICG ERROR). CORRECTED
D) 10 APR WILL BE CITED FOR FAILURE TO DISPLAY DAYSHAPES IN ADDITION TO ACTION CONTEMPLATED
2. ACTION TAKEN
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 092219

A. 1045R DETAINED F/V COSTA DE NORUEGA MASTER GIVEN MIRANDA WARNING
B. CONTINUING INVESTIGATION
3. PLANS AND RECOMMENDATIONS
A. IN VIEW OF VSLS PAST RECORD OF NON COMPLIANCE AND GROSS DISREGARD OF REGS PERTAINING TO OPERATING IN VICINITY OF FIXED GEAR. AND FOR USE OF IMPROPER MESH NET SIZE. RECOMMEND SEIZURE OF F/V COSTA DE NORIUGA. NMFS AGENT CONCURS. UNQUOTE VANCE

UNCLASSIFIED

NNN

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FISHING RIGHTS, SHIP DETENTION, INVESTIGATIONS, VIOLATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE092219
Document Source: CORE
Document Unique ID: 00
Drafter: O:TGMARTIN
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780155-0195
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780469/aaaacgyf.tel
Line Count: 102
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d29f61b2-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3004658
Secure: OPEN
Status: NATIVE
Subject: ENFORCEMENT REPORT - FIXED GEAR INCIDENT FOL RPT USCGC VIGOROUS DTG 101619Z APR 78 SENT ACTION COMLANTAREA COGARD NY INFO CCGDONE BOSTON MA, CCGDTHR EE NY, CC
TAGS: EFIS, EWWT, SP
To: MADRID
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/d29f61b2-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014